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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,665	12/17/2003	Dong Jae You	42166-0011	5343
26633	7590	12/07/2005	EXAMINER	
HELLER EHRMAN WHITE & MCAULIFFE LLP			VU, PHU	
1717 RHODE ISLAND AVE, NW			ART UNIT	
WASHINGTON, DC 20036-3001			PAPER NUMBER	
			2871	

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/736,665	Applicant(s) YOU ET AL.	
	Examiner Phu Vu	Art Unit 2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 15-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 9/16/2005 have been fully considered but they are not persuasive. Applicant has claimed a particular structure "to insert" / "for inserting" a digitizer. In response to applicant's argument, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. The fixing device appears to be capable of having a digitizer inserted as applicant has not particular limitation providing a digitizer in the device nor has applicant provided any structure for the inserted digitizer in the claim. The previously applied rejections remain applied which can be found below.

Drawings

The drawings were received on 9/16/2005. These drawings are accepted.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-7 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Momose et. al US Patent No. 6597416 .

Regarding claim 1, Momose teaches a liquid crystal display device comprising: a liquid crystal display module (see fig. 1A), a PCB (fig. 1A element 30) located in close proximity to a support main (see fig. 1A element 20) of the liquid crystal display device and a fixing device (fig. 1A element 16). Momose does not state that the fixing device is to include a digitizer, however this is an intended use limitation that does not appear to lend any additional structure to the claim.

Regarding claim 3, Momose teaches the fixing device forming a thin pocket shape (curved section of element 16 in fig. 1A).

Regarding claim 4, Momose teaches the fixing device is adhered by a double-faced tape so as to be fixed at a bottom surface of the support main (see fig. 1A element 25). According to Momose's specification element 21 is formed integrally with the support member element 20, therefore, element 21 is considered to be a part of the support main (see column 6 lines 19-23).

Regarding claim 5, Momose teaches fixing device (fig. 1A element 16) has a portion between the support main (fig. 1A element 20) and at a rear portion of the liquid crystal device module and the printed circuit board (see fig. 1A element 30).

Regarding claim 6, Momose teaches a fixing device forms a U-shape (see curved section of element 16) in contact with the PCB (fig. 1A element 30) through the contact part of the fixing device (fig. 1A element 27e).

Regarding claim 7, Momose teaches a fixing device (fig. 1A element 16) has a covering part located along the surface of the PCB (see fig. 1A bottom part of element

16) and a floor pad adhered to the rear side of support main (see fig. 1A top part of element 16 connected to element 20 near element 17 and 11b).

Regarding claim 10, Momose teaches the covering pad and the rear part are formed on the same body (see fig. 1A element 16).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Momose in view of Fukuchi et. al US Patent 5336535.

Regarding claim 2, Momose teaches all the limitations of claim 2 except a fixing device formed of a polyethylene terephthalate film. Fukuchi teaches forming an LCD substrate of polyethylene terephthalate in order to reduce size, thickness and improve impact resistance (see column 1 lines 64-70). Therefore, at the time of the invention it would have been obvious to one of ordinary skill in the art to use a fixing device to use polyethylene terephthalate in order to improve impact resistance and reduce size and thickness.

Claims 8-9 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Momose and Bogomolny US Patent No. 5984294.

Regarding claims 8 and 9, Momose teaches all the limitations of claims 8 and 9 except a covering part coated with a different color from the floor part, and the color printed at an edge of the covering part. Bogomolny teaches a color coded cutting surface that uses different colors to easily distinguish between two differently designated surfaces (see column 2 lines 50-55). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to use color codes to easily distinguish different parts or surfaces of a device. Bogomolny may not be of the same art, however, relying on just the teaching of colors to distinguish different surfaces does not require it.

Regarding claim 12, according to the specification the covering part surface 41a is indicated to be the rounded surface. Fig. 7B shows element 41a being rounded however the limitation of rounded along the surface of the PCB appears to be met by merely placing the PCB (fig. 5 element 45) on the covering portion. Figure 8 of the specification also shows the same structure. Momose shows a covering pad with a rounded surface (see fig. 1A element 16), and a PCB on top (below in the figure), therefore the limitation of a rounded covering part along the surface of the PCB is considered met as there are no other figures that appear to indicate another structure is claimed.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mose and in view of Ahn et. al US Patent No. 6388729.

Regarding claim 11, Momose teaches the covering pad of the fixing device (see fig. 1A part of element 16 that lies near element 1 1b) is separated apart from the

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surface that would be covered by the printed circuit board (see fig. 1A element 30).

Momose fails to teach the surface being digitizer, however, Ahn teaches a digitizer for an LCD display that allows for a position-sensing surface (see abstract).

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art incorporate a digitizer for a position sensing surface.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Momose and Kawaguchi et. al. US Patent No. 5670994.

Regarding claim 13, Momose teaches all the limitations of claim 13, except use of a double-faced tape to adhere a floor part of fixing device at a rear pad of the support main. Kawaguchi teaches use of a double sided tape to bond two surface such that there is an integral attachment (see column 26 lines 20-25). Momose already discloses the two surfaces connected to each other (see claim 7 rejection). Therefore, at the time of the invention it would have been obvious to use a double-sided tape to connect the rear part of the support main to the floor part of the fixing device to an integral attachment.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu Vu whose telephone number is (571)-272-1562. The examiner can normally be reached on 8AM-5PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (571)-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phu Vu
Examiner
AU 2871


ANDREW SCHECHTER
PRIMARY EXAMINER